

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARINGS - October 15, 1969
November 12, 1969

Appeal No. 10220 City Tavern Association, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried, with Messrs. Arthur B. Hatton and William F. McIntosh dissenting, the following Order of the Board was entered at the meeting of October 21 and November 18, 1969.

EFFECTIVE DATE OF ORDER - May 26, 1970

ORDERED:

That the appeal for variance from the floor area ratio requirements of the C-2-A District to permit enclosure of a portion of open deck to the rear of second floor of premises at 3206-08 M Street, NW., Lots 826 and 839, Square 1200, be granted.

FINDINGS OF FACT:

1. The subject property is located in the C-2-A District.
2. The property is improved with a brick building which is currently maintained as a private club under Certificate of Occupancy No. B-35867.
3. Appellant proposes to cover a portion of a deck which exists to the south of the second floor of the premises.
4. A portion of the deck of approximately 22 feet will remain uncovered.
5. Appellant is now able to use the deck in fair weather. A cover as proposed would permit use of the area in inclement weather as well.
6. The floor area ratio would increase from the permitted 2.0 to 2.73. The use is not to be increased by numbers of people.

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7. No objection to the granting of this appeal was registered at the public hearing.

8. The Board in executive session October 21, 1969 denied this subject appeal.

9. Appellant requested and was granted reconsideration at public hearing on November 12, 1969.

OPINION:

We are of the opinion that appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations, that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: Charles E. Morgan
CHARLES E. MORGAN
Secretary of the Board

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.